

EXHIBIT L



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VIA E-MAIL

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RE: In re Pork Antitrust Litigation Meet and Confer Regarding Tyson's Document Custodians

Dear Counsel:

On behalf of Tyson Foods, Inc., Tyson Fresh Meats, Inc., and Tyson Prepared Foods, Inc. (collectively, "Tyson"), we write to memorialize and follow up on our November 19, 2020 meet and confer regarding document custodian negotiations.

1. Non-Custodial Sources

Plaintiffs raised two issues regarding non-custodial sources: (1) whether there existed a centralized noncustodial source of travel and expense reports; (2) whether documents on a document management system would be a part of Tyson's document search.

On the first issue, the Plaintiffs further explained that they would be looking for travel/expense reports whether they are in a custodian's documents or located in a centralized source. Tyson has confirmed that a centralized source does exist and agrees to search this source for relevant documents relating to agreed-upon custodians.

On the second issue, Tyson stated that if agreed-upon custodians store relevant documents in document management systems, then Tyson will search for relevant documents in that system as well.

2. Agreed Upon Custodians

Prior to the November 19, 2020 Meet and Confer, Tyson and Plaintiffs had previously agreed that Tyson would designate the following individuals as custodians:

Name	Last Relevant Title	Relevant Time Period
Thomas Hayes	President & CEO	06/13/2016 to 06/30/2018
Donnie Smith	CEO	11/19/2009 to 12/31/2016
Richard Bond	President & CEO	01/01/2008 to 01/05/2009
Noel White	Group President Fresh Meats & International	01/01/2008 to 11/14/2013 02/15/2017 to 06/30/2018
Stephen Stouffer	President, Fresh Meats	10/27/2013 to 06/30/2018
Todd Neff	SVP Pork	01/01/2008 to 06/30/2018
Shane Miller	SVP GM Value Added & Case Ready	07/31/2009 to 06/30/2018
Jay Krehbiel	VP Pork Pricing	01/19/2014 to 02/03/2018
James Solsma	VP Pork Pricing	02/04/2018 to 06/30/2018
James Schmitz	VP Pork Production Operations	01/01/2008 to 06/30/2018
Steve Billups	VP Fresh Meats Controller	01/01/2008 to 06/30/2018
Deborah McConnell	Assoc. Group Controller	01/01/2008 to 06/30/2018

For completeness, Tyson restates that in Plaintiffs' June 18, 2019 Letter to Tyson, Plaintiffs agreed to withdraw Charles Randall Chambers, Donnie King, Mona Melton, Jennifer Davis, and Gary Mickelson. Plaintiffs also subsequently agreed to withdraw Mark Gordon as a designated custodian,¹ as well as Brad Bodine and Daniel Brooks subject to the Parties coming to agreement on the remaining custodians, as the Parties now have.²

In the spirit of compromise and with the goal of bringing the Parties to a place of agreement, Tyson further agreed to designate the following additional individuals as custodians:

Name	Last Relevant Title	Relevant Time Period
Leland Tollett	CEO	01/04/2009 to 11/18/2009
James Lochner	COO	01/01/2008 to 09/19/2014
Leah Andersen	VP Processor Sales	04/29/2018 to 06/30/2018
Jason Brester	VP Pork Procurement	07/05/2010 to 06/30/2018
Gary Machan	SVP Pork Margin Management	01/01/2008 to 01/01/2014
Jeremy Dickinson	VP Live Hogs	12/07/2015 to 06/30/2018
John Thomas	VP Live Hogs	01/01/2008 to 12/06/2015
Jon Kathol	VP Investor Relations & Assistant Secretary	10/10/2011 to 06/30/2018
Ruth Ann Wisener	VP Investor Relations & Assistant Secretary	01/01/2008 to 10/09/2011

¹ See Plaintiffs' June 18, 2019 Letter Re: *In re Pork Antitrust Litig.* – Meet and Confer re: Tyson's Document Custodians, at 3.

² See Plaintiffs' July 17, 2019 Letter re: *In re Pork Antitrust Litig.* – Meet and Confer re: Tysons' Document Custodians, at 2-3.

Jerry Holbrook	SVP Fresh Meats Sales & Marketing	01/01/2008 to 6/30/2018
Dennis Leatherby	CFO	06/05/2008 to 12/11/2017
Ray McGaugh	SVP, Case Ready	10/26/2014 to 06/30/2018
Gary Sheneman	SVP, Case Ready	09/14/2008 to 01/01/2015
Raymond Hollingsworth	VP Pork Production Planning & Inventory Management	01/01/2008 to 12/31/2013
Mark Gingerich	VP Fresh Meats Sales	01/01/2008 to 12/31/2015
Stewart Glendinning	CFO	02/10/2018 to 06/30/2018

3. Deb McConnell

Tyson provided further information related to Deb McConnell and responded to Plaintiffs' questions regarding Agri Stats.

First, Tyson reiterated that Deb McConnell was the Tyson employee responsible for the transmission to and receipt of data from Agri Stats and its predecessor, and has been since the 1990s. Tyson had previously provided this information in its August 1, 2019 letter to the Plaintiffs. Starting with her role as Controller for the Waterloo plant, she had responsibilities involving Agri Stats, and that continued through her various title or role changes with the company. There is no company position that is formally responsible for the exchange of information with Agri Stats; it developed organically that Ms. McConnell maintained those responsibilities.

Second, Ms. McConnell's reports lacked any independent responsibility for the submission and receipt of data from Agri Stats. Any of her reports that transmitted or received Agri Stats data did so at her direction.

Third, Ms. McConnell's supervisors did not have any responsibility for the transmission and receipt of data from Agri Stats.

Finally, Steve Billups, who has been designated as a custodian, and Jerry Pfeiffer (both VP Fresh Meats Controllers at various time periods)³ did negotiate fees with Agri Stats. But Mr. Pfeiffer did not have any further involvement with Agri Stats beyond that.

Tyson reiterated its position that Mr. Pfeiffer is not an appropriate custodian because he did not have involvement beyond fee negotiations with Agri Stats. Plaintiffs stated that they disagreed and would be willing to bring this issue to the Court. Plaintiffs stated that fee

³ Mr. Pfeiffer was VP Fresh Meats Controller from February 2002 until April 2015. Mr. Billups started the role in December 2014 and overlapped with Mr. Pfeiffer to transition Mr. Pfeiffer into retirement. Mr. Billups filled the role for the remainder of the relevant time period.

negotiations and value were an important aspect of what Agri Stats provided in service to Defendants compared to other exchanges, and that this was relevant for the Plaintiffs' claim.

Tyson offered to designate Mr. Pfeiffer as a custodian but with a search limited to terms relating to Agri Stats. The Plaintiffs agreed to consider this proposal.

Tyson also clarified that employees responsible for Pork Analytics analyzed public data such as earnings reports of other companies and were not involved in Agri Stats.

4. Food Service Pricing

Plaintiffs had previously inquired about the following individuals: Jim Zirko, Brandon Hurlbut, Bill Meyer, Eric Fritts, and Johnny Hughes.

Tyson informed the Plaintiffs that these individuals, with the exception of Jim Zirko, were all sales employees with no independent pricing authority. Tyson explained that if a sales employee wants to deviate from a given price – whether one set by a formula or established on a price list - they must seek permission from the relevant pricing authorities. Tyson reiterated that two such employees with pricing authority – Jay Krehbiel and Jim Solsma – have already been designated as custodians.

Tyson also informed the Plaintiffs that Jim Zirko is a finance employee with no pricing authority.

5. Don and John Tyson

Tyson reiterated its position that Don and John are not appropriate custodians.⁴ As a reminder, Don Tyson retired in 2001, and John left his position of CEO in 2006, both well before the relevant time period. Tyson asked the Plaintiffs to reconsider its position on Don and John Tyson in light of the sixteen custodians that Tyson was agreeing to now designate. The Plaintiffs refused and the parties are at an impasse.

In light of this impasse, Tyson offered another compromise, a wait-and-see approach whereby the Parties would table further discussion on this topic for a time. Tyson believes that as documents are produced, the Plaintiffs will see they are receiving the documents from the key decision makers in Tyson's pork business, and that Don and John Tyson did not have day-to-day responsibilities for the pork business. The Plaintiffs agreed to consider this proposal.

6. Proposed Briefing Schedule

As noted the Plaintiffs have agreed to consider Tyson's new offers regarding a limited search of Jerry Pfeiffer and a wait-and-see approach for Don and John Tyson. The Parties discussed next steps should these issues still require resolution through the Court. Tyson

⁴ See Tyson's August 1, 2019 Letter to Plaintiffs Re: Meet and Confer Regarding Tyson's Document Custodians and RFP Responses and Objections, at 2-3.

November 20, 2020

Page 5

proposed a coordinated briefing schedule whereby the Plaintiffs submit an opening Motion to Compel on December 4th, with 14 days for Tyson to respond. Tyson also stated it would request to be heard by the magistrate.

The Plaintiffs agreed to establishing cross-party deadlines for filing discovery dispute motions as it would benefit all parties. The Plaintiffs indicated that they also would be offering a proposed briefing schedule, which would cover pending issues regarding Don and John Tyson. The Plaintiffs also indicated their preference for joint letters.

Sincerely,



Tiffany Rider

CC: All Class Plaintiff Co-Lead Counsel